

PATENT

Attorney Docket No.: HILLS1130

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Foster et al. Art Unit: Not Yet Assigned  
Application No.: 10/511,245 Examiner: Not Yet Assigned  
I.A. Filing Date: April 15, 2003 Conf. No.: 8721  
Title: FORMULATION OF FINE PARTICLES USING LIQUEFIED OR DENSE  
GASES

**Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

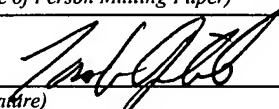
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35****U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed  
July 7, 2005, enclosed are:

1. One (1) copy of the Notification of Missing Requirements Under 35  
U.S.C. 371 mailed July 7, 2005 (2 pages);
2. One (1) executed Declaration For Patent Application (4 pages);
3. One (1) Power of Attorney by Assignee (2 pages); and
4. Return Receipt Postcard.

|   |                         |
|---|-------------------------|
| <b>CERTIFICATION UNDER 37 CFR §1.10</b><br>"EXPRESS MAIL" Mailing Label Number: <b>EV 627 502 121 US</b><br>Date of Deposit: <b>July 26, 2005</b>   |                         |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                         |
| JOSH GIBBS<br>(Name of Person Mailing Paper)  |                         |
| <br>(Signature)   | July 26, 2005<br>(Date) |

In re Application of:

Foster et al.

Application No.: 10/511,245

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PATENT

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Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

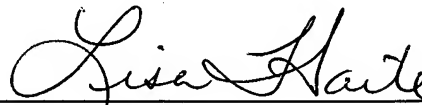
The filing fee has been calculated as follows.

|  | Number<br>Filed |   | Number<br>Extra |   | Rate            |                 |   | Fee             |                 |
|--|-----------------|---|-----------------|---|-----------------|-----------------|---|-----------------|-----------------|
|  |                 |   |                 |   | Small<br>Entity | Large<br>Entity |   | Small<br>Entity | Large<br>Entity |
| Total Claims   | 35-20           | = | 15              | X | \$25            | \$50            | = | [\$135.00]      | \$ .00          |
| Independent Claims                                       | 1-3             | = | 0               | X | \$100           | \$200           | = | \$ .00          | \$ .00          |
| Multiple Dependent Claims Present: ____ Yes <u>x</u> No  |                 |   |                 |   | \$180           | \$360           |   | N/A             | N/A             |
| Fee for Each Additional 50 Sheets in Excess of 100 Pages |                 |   |                 |   | \$125           | \$250           |   | N/A             | N/A             |
|  |                 |   |                 |   | FILING FEE      |                 |   | [\$ 545.00]     | \$ 300.00       |
|  |                 |   |                 |   | SURCHARGE FEE   |                 |   | [\$ 65.00]      | \$ 130.00       |
|  |                 |   |                 |   | TOTAL FEE       |                 |   | \$ .00          |                 |

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: July 26, 2005



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**USPTO CUSTOMER NUMBER 28213**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/511,245                  | Neil Russell Foster   | HILLS1130        |

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 JUL 12 2005

PATENT DOCKETING

JUL 12 2005

DLA PIPER

INTERNATIONAL APPLICATION NO.

PCT/AU03/00453

I.A. FILING DATE

PRIORITY DATE

04/15/2003

04/15/2002

CONFIRMATION NO. 8721

371 FORMALITIES LETTER



\*OC000000016449307\*

Date Mailed: 07/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/13/2004
- Copy of the International Search Report filed on 10/13/2004
- Copy of IPE Report filed on 10/13/2004
- Preliminary Amendments filed on 10/13/2004
- Oath or Declaration filed on 10/13/2004
- Request for Immediate Examination filed on 10/13/2004
- U.S. Basic National Fees filed on 10/13/2004
- Priority Documents filed on 10/13/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,245                  | PCT/AU03/00453                | HILLS1130        |

FORM PCT/DO/EO/905 (371 Formalities Notice)